

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

AARON JACOB MINDIOLA,

Plaintiff,

v.

STATE OF ARIZONA *Kris Mayes, Arizona
State Attorney General, ARIZONA
MARICOPA COUNTY Jennifer Pokorski,
County Manager for Maricopa County, HON.
JUDGE BERGIN, ARIZONA DES DCSS
Angie Rodgers Director of Arizona
Department of Economic Security,*

Defendants.

Case No. 3:23-cv-01008-SB

ORDER ADOPTING F&R

Aaron Jacob Mindiola, Columbia City, OR. Pro se.

Daniel P. Struck, Struck Love Bojanowski & Acedo, PLC, 3100 West Ray Road, Chandler, AZ 85226. Attorney for Defendants Maricopa County and Jennifer Pokorski.

IMMERGUT, District Judge.

On January 19, 2024, Magistrate Judge Stacie Beckerman issued her Findings and Recommendation (“F&R”), ECF 33, recommending that Maricopa County and Jennifer Pokorski’s (“County Defendants”) Motion to Dismiss, ECF 18, be GRANTED. This Court ADOPTS Magistrate Judge Beckerman’s F&R.

STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

This Court has reviewed de novo the portions of Judge Beckerman’s F&R to which Plaintiff and the County Defendants objected. County Defendants only challenge Judge Beckerman’s application of the *Rooker-Feldman* doctrine in her subject matter jurisdiction analysis and no other aspect of the F&R. Based on this record, this Court adopts Judge Beckerman’s F&R, ECF 33, in full. Accordingly, this Court GRANTS the County Defendants’ Motion to Dismiss, ECF 18, and DISMISSES Plaintiff’s claims against the County Defendants without prejudice.

IT IS SO ORDERED.

DATED this 23rd day of February, 2024.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge